

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 HA-05 TRSE-00 L-03 H-01 PA-01  
ICA-11 CIAE-00 INR-10 NSAE-00 SS-15 AID-05 /062 W  
-----086174 120954Z /16  
P 120843Z SEP 78  
FM AMEMBASSY MUSCAT  
TO SECSTATE WASHDC PRIORITY 4656

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E.O. 11652: N/A  
TAGS: SHUM, MU  
SUBJECT: DRAFT OF HUMANRIGHTS REPORT FOR OMAN

REF STATE 228356

THE MAIN THRUST OF THE DRAFT HUMAN RIGHTS REPORT FOR OMAN  
IS ACCURATE, IN OUR VIEW. WE SUGGEST THE FOLLOWING  
SPECIFIC CHANGES IN THE TEXT:

(A) THE LAST SENTENCE OF THE INTRODUCTORY PARAGRAPH  
SHOULD BE CHANGED TO READ THAT THE DHOFAR CONFLICT  
"HAS LARGELY ENDED" RATHER THAN "HAS ENDED". SOME  
INSURGENTS REMAIN ACTIVE, AND THERE ARE STILL INCIDENTS.

(B) THE SECTION ON ARBITRARY ARREST OR IMPRISONMENT  
SHOULD BE CHANGED TO READ AS FOLLOWS: "THE OMANI  
CRIMINAL CODE IMPOSES PENALTIES FOR UNJUSTIFIED ARREST,  
AND DETENTION BY THE AUTHORITIES IS REGULATED BY  
STATUTE. CITIZENS CAN PETITION THE COURTS, THE MINISTER  
OF JUSTICE, OR EVEN THE SULTAN HIMSELF FOR REMEDIES  
IN CASES OF VIOLATIONS OF THEIR RIGHTS. NO  
EXTRAVAGANT ABUSES OF THE POLICE POWER OF ARREST  
HAVE COME TO THE EMBASSY'S ATTENTION, ALTHOUGH  
ARBITRARINESS THAT IS USUALLY PETTY AND SHORT-  
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LIVED EXISTS." WE BELIEVE THAT THIS MORE CORRECTLY  
DESCRIBES THE SITUATION.

(C) THE SECTION ON DENIAL OF FAIR PUBLIC TRIAL SHOULD  
BE CHANGED TO READ AS FOLLOWS: "BOTH TRADITIONAL  
ISLAMIC LAW AND THE NEW CRIMINAL CODE CALL FOR A  
HEARING AND A FAIR TRIAL BY EXPERIENCED JUDGES.

EYEWITNESS ACCOUNTS BY U.S. GOVERNMENT OFFICIALS ATTENDING SESSIONS OF ISLAMIC AND POLICE COURTS REVEALED AN IMPRESSIVE DEGREE OF FAIRNESS IN THE PROCEEDINGS. HOWEVER, OTHER CASES COMING TO THE ATTENTION E U.S. GOVERNMENT INVOLVED COURT PROCEDURES WEIGHTED TOWARD THE PROSECUTION. REGIONAL VARIATIONS MAY EXIST IN THIS RESPECT." THIS TOO IS A MORE CORRECT DESCRIPTION, IN OUR VIEW. WE WISH TO NOTE ESPECIALLY THAT IT IS INACCURATE TO SAY THAT U.S. OFFICIALS FOUND THE TRIALS THEY WITNESSED TO BE "IN ACCORDANCE WITH LAW". NO SUCH DETERMINATION WAS MADE; IT WOULD HAVE INVOLVED A LEGAL RESEARCH JOB THAT WAS NOT UNDERTAKEN. WHAT WE CAN SAY WITH CONVICTION IS THAT THE PROCEEDINGS WE WITNESSED WERE IMPRESSIVELY FAIR.

(D) THE LAST SENTENCE IN THE SECTION ON GOVERNMENT POLICIES RELATING TO FOOD, SHELTER, ETC. SHOULD BE CHANGED TO READ AS FOLLOWS: "IN THE AST FEW YEARS, THE GOVERNMENT HS MOVED AGAINST AT LEAST ONE CASE OF FINANCIAL MALFEASANCE BY GOVERNMENT OFFICIALS." THE CASE THAT WE BELIEVE IS CITED IN THE DRAFT DID NOT OCCUR DURING THE LAST YEAR. ALSO, AS THE DEPARTMENT WILL NOTE FROM MUSCAT LIMITED OFFICIAL USE

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A-36, IT IS POSSIBLE THAT ANOTHER MORE RECENT CASE INVOLVED A GOVERNMENT FINDING OF FINANCIAL WRONGDOING BY ONE OR MORE OFFICIALS. SINCE THIS IS NOT CLEAR, HOWEVER, WE RECOMMEND THAT IT BE REFERRED TO ONLY AS INDICATED ABOVE.

(E) THE LAST SENTENCE IN THE FIRST PARAGRAPH OF THE SECTION ON FREEDOM OF THOUGHT, ETC. SHOULD BE CHANGED TO READ AS FOLLOWS: "INDEPENDENT LABOR ORGANIZATIONS DO NOT EXIST AND ARE OFFICIALLY DISCOURAGED." ALTHOUGH IT MAY BE TRUE THAT LABOR ORGANIZATIONS ARE NOT EXPRESSLY FORBIDDEN, THE GOVERNMENT'S POLICY AGAINST THEM IS CLEAR TO ALL CONCERNED.

(F) IN THE SAME SECTION ON FREEDOM OF THOUGHT, ETC., THE PARAGRAPH ON WOMEN'S RIGHTS SHOULD BE CHANGED TO READ AS FOLLOWS: "OMANI WOMEN AS A FORCE IN SOCIETY HAVE ONLY RECENTLY BEGUN TO EMERGE FROM TRADITIONAL ISOLATION. HOWEVER, EDUCATED OMANI WOMEN DO HOLD JOBS, A FEW AT VERY RESPONSIBLE LEVELS. WOMEN ARE BECOMING MORE ACTIVE IN PUBLIC LIF GOVERNMENT POLICY ENCOURAGES PROGRESS IN THIS AREA."

WE BELIEVE THE DRAFT IS TOO SEVERE ON THE POSITION OF  
WOMEN IN OMAN. SEE MUSCAT A-15.

(G) WE RECOMMEND THAT THE FOLLOWING SENTENCE,  
OR SOMETHING LIKE IT, BE ADDED TO THE END OF THE  
SECTION ON PARTICIPATION IN THE POLITICAL PROCESS:  
"OMANIS IN GENERAL DO NOT AT PRESENT SEEK GREATER  
PARTICIPATION IN THE PROCESSES OF GOVERNMENT THAN  
THEY NOW ENJOY." WE CONSIDER THIS AN IMPORTANT  
BALANCING STATEMENT TO INDICATE THAT THE OMANI  
POPULACE AS A WHOLE EXHIBITS NO SENSE OF GRIEVANCE  
IN POLITICAL RIGHTS, AT LEAST NOT YET. SIZER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REPORTS, HUMAN RIGHTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 12 sep 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978MUSCAT01244  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
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**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
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**TAGS:** SHUM, MU  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014